

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

|                               |                             |                        |
|-------------------------------|-----------------------------|------------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE   | ATTORNEY DOCKET NUMBER |
| PCT/GB2004/003592             | 20 August 2004 (20.08.2004) | ASTB-0054              |

U.S. APPLICATION NO. (if known see 37 CFR 1.5)

10/568,983

PRIORITY DATE CLAIMED  
22 August 2003 (22.08.2003)

## TITLE OF INVENTION A BUOYANCY CONTROL SYSTEM

## APPLICANT(S) FOR DO/EO/US Philip Michael Bagley et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10.  An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 20. below concern other document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information:
  - a copy of the Notification of Missing Requirements dated June 13, 2006;
  - a response to the Notification of Missing Requirements;
  - a Preliminary Amendment
  - a return postcard.

EXPRESS MAIL Mailing Label No. EV 482608462 US  
Date of Deposit: August 9, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid IMB control number.

|  |   |   |
|--|---|---|
| U.S. APPLICATION NO. (if known 37 C.F.R. 1.5)<br><b>10/568,983</b>   | INTERNATIONAL APPLICATION NO.<br><b>PCT/GB2004/003592</b> | ATTORNEY DOCKET NUMBER<br><b>ASTB-0054</b>                                    |
| The following fees are submitted:  |   |   |
| 21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))  |   | \$300   |
| 22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)   |   | \$0.00  |
| All other situations   |   | \$200   |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)   |   | \$0   |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority  |   | \$100   |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB   |   | \$400   |
| All other situations   |   | \$500   |
| <b>TOTAL of 21, 22 and 23 =</b>  |   | \$  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |   |   |
| Total Sheets   | Extra Sheets  | Number of each additional 50 or fraction thereof (round up to a whole number) |
| - 100 =  | /50=  | X \$250   |
| Surcharge of \$130.00 for furnishing any of the search fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |   | \$130.00  |
| Claims   | Number Filed  | Number Extra  |
| Total claims   | 18- 20 =  | 0 X \$50  |
| Independent Claims   | 1- 3 =  | 0 X \$200   |
| Multiple dependent claims(s) (if applicable)   |   | + \$360   |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |   |   |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.  |   | \$  |
|  |   | <b>SUBTOTAL =</b>   |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |   | \$  |
|  |   | <b>TOTAL NATIONAL FEE =</b>   |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |   | \$  |
|  |   | <b>TOTAL FEES ENCLOSED =</b>  |
| 08/15/2006 LLANDGRA 00000062 10568983  |   | Amount to be: \$<br>refunded  |
| 01 FC:2617 65.00 DP  |   | Amount to be: \$<br>charged   |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid IMB control number.

- a.  A check in the amount of \$65.00 to cover the above fee is enclosed.
- b.  Please charge my Deposit Account No. 23-3050 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner if hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

  
Michael P. Dunnam  
SIGNATURE

Michael P. Dunnam  
NAME  
32,611  
REGISTRATION NUMBER

SEND ALL CORRESPONDENCE TO:

John W. Caldwell  
Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
(215) 568-3100

DOCKET NO.: ASTB-0054

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Philip Michael BAGLEY, et al.**

U.S. Serial No.: **10/568,983**

Group Art Unit: **not yet assigned**

U.S. Filing Date: **February 21, 2006**

Examiner: **not yet assigned**

International Application No.: **PCT/GB2004/003592**

International Filing Date: **August 20, 2004**

For: **A BUOYANCY CONTROL SYSTEM**

EXPRESS MAIL LABEL NO: EV 482608462 US  
DATE OF DEPOSIT: August 9, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

In response to the "Notification of Missing Requirements", dated June 13, 2006, applicant submits herewith, a copy of such notice. The required items, namely the executed Declaration/Power of Attorney, and appropriate surcharge of \$65.00 as a small entity are submitted herewith.

The notification states that an additional claims fee of \$255.00 is due for three excess claims and a multiple dependent claim charge. Applicants have canceled the additional claims for which these fees are due. Therefore, no additional claims fee is due.

Respectfully submitted,

  
Michael P. Dunnam  
Registration No. 32,611

Date: August 9, 2006

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100



UNITED STATES PATENT AND TRADEMARK OFFICE

MPD  
SK  
 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/568,983                  | Philip Michael Bagley | ASTB0054         |

23377  
 WOODCOCK WASHBURN LLP  
 ONE LIBERTY PLACE, 46TH FLOOR  
 1650 MARKET STREET  
 PHILADELPHIA, PA 19103

**RECEIVED**

JUN 19 2006

Woodcock Washburn

INTERNATIONAL APPLICATION NO.

PCT/GB04/03592

I.A. FILING DATE

08/20/2004

PRIORITY DATE

08/22/2003

CONFIRMATION NO. 8859

371 FORMALITIES LETTER



\*OC000000019229479\*

Date Mailed: 06/13/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/21/2006
- Oath or Declaration filed on 02/21/2006
- Small Entity Statement filed on 02/21/2006
- Request for Immediate Examination filed on 02/21/2006
- U.S. Basic National Fees filed on 02/21/2006
- Priority Documents filed on 02/21/2006

**RECEIVED**  
 JUN 19 2006  
 DOCKET DEPT.  
 WWKMN

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$255** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of **\$65** for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$320** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 255**
  - **\$75** for 3 total claims over 20.
  - **\$180** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

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Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/568,983                  | PCT/GB04/03592                | ASTB0054         |

FORM PCT/DO/EO/905 (371 Formalities Notice)